

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**COURTESY COPY**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

GEORGE GARCY A/K/A JORGE GARCIA, and  
ANGELO CUOMO,

Defendants,

- and -

JUDITH GUIDO,  
RALPH CUOMO,  
VINCENT CUOMO, and  
JOSEPH LIVELY,

Relief Defendants.

11 Civ. 2282 (ERK) (VMS)

**~~PROPOSED~~ FINAL JUDGMENT AS TO RELIEF DEFENDANT VINCENT CUOMO**

The Securities and Exchange Commission (“Commission”) having filed a Complaint and Relief Defendant Vincent Cuomo (“Relief Defendant” or “Vincent Cuomo”) having entered a general appearance; the Commission having filed a motion for relief against Relief Defendant; the Court, on January 28, 2015, having adopted the Report and Recommendation dated January 5, 2015 of U.S. Magistrate Judge Scanlon [DE 67], and the Court, on July 31, 2015 having adopted the Report and Recommendation dated June 24, 2015 of U.S. Magistrate Judge Scanlon granting default judgment in favor of the Commission against Relief Defendant [DE 77]; and the Court having jurisdiction over Relief Defendant and over the subject matter of this action:

I.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that that Relief Defendant is liable for disgorgement of \$108,000, representing profits gained as a result of the

conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$30,286.76, for a total of \$138,286.76. Relief Defendant shall satisfy this obligation by paying \$138,286.76 to the Securities and Exchange Commission within 14 days after entry of this Final Judgment.

Relief Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Relief Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

Enterprise Services Center  
Accounts Receivable Branch  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Vincent Cuomo as a relief defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

Relief Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Relief Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Relief Defendant.

The Commission shall hold the funds (collectively, the "Fund") and may propose a plan to distribute the Fund subject to the Court's approval. The Court shall retain jurisdiction over the administration of any distribution of the Fund. If the Commission staff determines that the Fund

will not be distributed, the Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this Final Judgment. Relief Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, the allegations in the complaint are true and admitted by Relief Defendant, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Relief Defendant under this Final Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

IV.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

Dated: Aug 25, 2015

/s/ Judge Edward R. Korman

UNITED STATES DISTRICT JUDGE